

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
435.725 435.733 435.832	<p>B. Post-Eligibility Treatment of Institutionalized Individuals</p> <p>The following amounts are deducted from gross income when computing the application of an individual's or couple's income to the cost of institutional care:</p> <p>1. Personal Needs Allowance</p> <p>a. Aged, blind, disabled--</p> <p>Individuals \$ <u>30</u> PLUS *</p> <p>Couples \$ <u>60</u> PLUS *</p> <p>For the following individuals with greater need-- * (1) Patients in institutions who participate in work programs as part of treatment. The first \$75.00 of earnings plus 1/2 the remainder, up to a maximum of \$190.00 monthly is allowed to be retained for personal needs. * (2) Patients receiving institutional or home- and community-based waiver services who pay guardianship fees, the actual cost of guardian fees up to a maximum of 5% of gross income.</p> <p>b. AFDC related--</p> <p>Children \$ <u>30</u></p> <p>Adults \$ <u>30</u></p> <p>c. Individuals under age 21 covered in this plan as specified in Item b.7 of <u>ATTACHMENT 2.2-A</u>. \$ <u>30</u></p>
435.725 435.733 435.832	<p>2. For maintenance of the non-institutionalized spouse only. The amount must be based on a reasonable assessment of need but must not exceed the highest of--</p> <p>SSI level \$ _____</p> <p>SSP level \$ _____</p> <p>Monthly medically needy level \$ _____</p> <p>Other as follows \$ _____</p> <p><u>See Attachment 2.6 A pages 5a and 5b.</u></p>
TN No. <u>94-03</u> Supersedes TN No. <u>93-04</u>	Approval Date <u>08/18/94</u> Effective Date <u>06/01/94</u> HCFA ID: <u>7985E</u>

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation

Condition or Requirement

3. For children, each family member. (Applies only to children not living with the community spouse.)

AFDC level \$ \_\_\_\_\_

Medically needy level \$ \*See below\*

Other as follows \$ \_\_\_\_\_

For children living with the community spouse, see 5a and 5b.

4. Amounts for incurred medical expenses not subject to payment by a third party

a. Health insurance premiums, deductibles and co-insurance charges

b. Necessary medical or remedial care not covered under the Medicaid plan (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A.)

5. An amount for maintenance of a single individual's home for not longer than 6 months, if a physician has certified he or she is likely to return home within that period.

1902(l) of the Act

☒ Yes. Amount for maintenance of home

\$ \*See below\*

☐ No.

6. SSI benefits paid under §1611(e)(1)(E) of the Act to individuals who receive care in a hospital or NF.

\* Ref. B.3. Group I: \$216.67; Group II: \$250; Group III: \$325. For appropriate family size see Supplement 1 to Attachment 2.6 A, p 2.

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation

Condition or Requirement

7. Maintenance Standard for community spouse and other dependent family members under §1924 of the Act.

a. Community Spouses

- ☒ 1. Standard based on formula contained in §1924(d) is used.
- ☐ 2. Maximum standard contained in §1924(d)3.
- ☐ 3. A fixed standard which is greater than the minimum standard described in §1924(d) plus actual shelter costs not to exceed maximum standard contained in §1924(d)(3)(c).

The standard used is \_\_\_\_\_.

b. Other family members who are dependent.

- ☒ 1. Standard based on the formula contained in §1924(d)(1)(c) is used.
- ☐ 2. A fixed standard greater than the amount which would be used if the formula described in §1924(d)(1)(c) were used.

The standard used is \_\_\_\_\_.

- ☒ c. The standards described above are used for individuals receiving home and community based services in lieu of services provided in medical or remedial institutions.

d. The Definition of Dependency

The definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under §1924.

The definition used is:

TN No. 89-21  
Supersedes  
TN No. 87-11

Approval Date 12/27/89

Effective Date 10/01/89

HCFA ID:

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation

Condition or Requirement

Dependent Children -- A couples' children age 21 and older who live with a community spouse and who may be claimed as dependents by either member of a couple for tax purposes under the Internal Revenue Services Code. This also includes minor children under age 21 who live with a community spouse.

Dependent Parents -- Parents of either member of a couple who reside with the community spouse and who may be claimed as dependents by either spouse for tax purposes under the Internal Revenue Services Code.

Dependent Siblings -- A brother or sister of either member of a couple (including half-brothers and half-sisters and siblings gained through adoption) who reside with the community spouse and who may be claimed by either member of the married couple for tax purposes under the Internal Revenue Services Code.

TN No. 89-21  
Supersedes  
TN No. N/A

Approval Date 12/27/89

Effective Date 10/01/89

HCFA ID:

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation

Condition or Requirement

42 CFR 435.711 C.  
42 CFR 435.721  
42 CFR 435.831

Financial Eligibility

For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under §1902(f) of the Act, or more liberal methods under §1902(r)(2) of the Act, as specified below.

For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.

Supplement 1 to ATTACHMENT 2.6-A specified the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under §1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under §1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under §1902(a)(10)(E)(i) of the Act.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

---

- ☒ Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.
- ☒ Supplement 7 to ATTACHMENT 2.6-A specifies the income levels for categorically needy aged, blind, and disabled persons who are covered under requirements more restrictive than SSI.
- ☐ Supplement 4 to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under §1902(f) of the Act.
- ☒ Supplement 5 to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under §1902(f) of the Act.
- ☒ Supplement 8 to ATTACHMENT 2.6-A specifies the resource standards to be applied for categorically needy individuals in states that have elected to impose more restrictive eligibility requirements than SSI, permitted under §1902(f) of the Act.
- ☒ Supplement 8a to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under §1902(r)(2) of the Act.
- ☒ Supplement 8b to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under §1902(r)(2) of the Act.

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation	Condition or Requirement
1902(r)(2) of the Act	<p>1. Methods of Determining Income</p> <p>a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).</p> <p>(1) In determining countable income for AFDC-related individuals, the following methods are used:</p> <p><input checked="" type="checkbox"/> (a) The methods under the State's approved AFDC plan only; or</p> <p><input type="checkbox"/> (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in <u>Supplement 8a</u> to <u>ATTACHMENT 2.6-A</u>.</p> <p>(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to children living with parents until the children become 21.</p>
1902(e)(6) the Act	<p>(3) Agency continues to treat women eligible under the provisions of §1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.</p>

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation

Condition or Requirement

42 CFR 435.721  
435.831, and  
1902(m)(1)(B)(m)  
(4) and 1902(r)(2)  
of the Act

- b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods are used:

- ☐ The methods of the SSI program only
- ☐ The methods of the SSI program and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

TN No. 93-04  
Supersedes  
TN No. N/A

Approval Date 01/03/94

Effective Date 06/16/93

HCFA ID: 7985E



**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation

Condition or Requirement

- ☐ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of §1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.
- ☐ For institutional couples, the methods specified under §1611(e)(5) of the Act.
- ☐ For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.
- ☒ For optional State supplement recipients in §1902(f) States and SSI criteria States without §1616 or 1634 agreements--
  - ☒ SSI methods only.
  - ☐ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.
  - ☐ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT**

State of VIRGINIA

**ELIGIBILITY CONDITIONS AND REQUIREMENTS**

Citation	Condition or Requirement
42 CFR 435.721 and 435.831 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act	<p>c. Blind individuals. In determining countable income for blind individuals, the following methods are used:</p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> The methods of the SSI program only.</li><li><input type="checkbox"/> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li><li><input type="checkbox"/> For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of §1902(f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>; and any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li><li><input type="checkbox"/> For institutional couples, the methods specified under §1611(e)(5) of the Act.</li><li><input type="checkbox"/> For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>.</li><li><input checked="" type="checkbox"/> For optional State supplement recipients in §1902(f) States and SSI criteria States without §1616 or 1634 agreements--<ul style="list-style-type: none"><li><input checked="" type="checkbox"/> SSI methods only.</li><li><input type="checkbox"/> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li><li><input type="checkbox"/> Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are described in <u>Supplement 8a to ATTACHMENT 2.6-A</u>.</li></ul></li></ul>